

## **CN 213 – Nez Perce Child Support Agreement**

Subject: **CN 213- Nez Perce Child Support Agreement**

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Approved: \_\_\_\_\_  
Georgiann DeKay, Acting Director

### **Table of Contents**

- I. Introduction**
  - A. What is the background of this CN?**
  - B. Where do I place this in my Handbook?**
- II. Understanding the Nez Perce Child Support Agreement**
  - A. What is the purpose of the agreement?**
  - B. When is a case included under the agreement?**
  - C. How do I identify a Nez Perce case?**
  - D. What actions do I take once a case is identified?**

## **CN 213 – Nez Perce Child Support Agreement**

### **I. Introduction**

#### **A. What is the background of this CN?**

Chapter RCW 26.25 encourages DCS and Indian tribes to enter into cooperative child support agreements to provide for the delivery of child support enforcement services.

DCS and the Nez Perce Tribe (Idaho) signed a child support agreement ([http://www.wa.gov/dshs/dcs/pdf/nez\\_perce.pdf](http://www.wa.gov/dshs/dcs/pdf/nez_perce.pdf)) on August 27, 2001. This is the first DCS agreement with an Indian tribe outside of Washington State.

In the past, if an NCP lived on the Nez Perce reservation or worked for the tribe, DCS initiated a CSENet referral to Idaho (if direct withholding was not an option). This policy outlines DCS procedure for transferring IV-D cases identified under the Nez Perce agreement to the DCS Spokane field office for processing in the Nez Perce Tribal Court.

If you have questions about this subject please contact: your Tribal Liaison; Spokane Field Office Tribal Unit staff; or Brady Rossnagle, ESA State Tribal Relations Unit (STRU), via e-mail [brossnbx@dshs.wa.gov](mailto:brossnbx@dshs.wa.gov) or phone (360) 413-3115.

#### **B. Where do I place this in my Handbook?**

1. Place this notice in front of Chapter 13.
2. Note on the Canary Notice Control Sheet the subject, date, and placement of this notice in your Handbook.
3. The text of this notice will be available on the DCS intranet.
4. We have highlighted affected sections of the Support Enforcement Handbook in the intranet presentation, with links to this CN.

## CN 213 – Nez Perce Child Support Agreement

### II. Understanding the Nez Perce Child Support Agreement

This section describes provisions of the Nez Perce Child Support Agreement, identification of cases, and specific actions to take.

Laws	<u>42 USC Chapter 654 (33)</u> <u>Chapter 26.25 RCW</u>
Policy	DCS Spokane field office will file certain paternity, establishment, enforcement and modification cases in the Nez Perce Tribal Court, under the terms of the Nez Perce Child Support Agreement.
Procedure	Transfer the case to the Spokane field office if the NCP lives on the Nez Perce reservation, or is employed by the Tribe, Tribal enterprise or by an Indian-owned business on the reservation.
Visual Aids	<u>Tribal Relations</u> Internet web site ( <a href="http://www.wa.gov/dshs/dcs/tribal/">http://www.wa.gov/dshs/dcs/tribal/</a> )
Automated Actions	
SEMS Screens	<u>CC</u> , <u>BI</u> , <u>IA</u> , <u>OR</u>
Forms Used	<u>18-369</u>
Hearing and Conference Board Rights	Conference Board
See Also	<u>Chapter 13</u> – Tribal Enforcement <u>Chapter 17</u> – Case Records <u>CN-189</u> – Case Transfer Nez Perce Child Support Agreement <a href="http://www.wa.gov/dshs/dcs/pdf/nez_perce.pdf">http://www.wa.gov/dshs/dcs/pdf/nez_perce.pdf</a> .
Contact for more information:	Your Tribal Liaison, <u>Spokane field office Tribal Unit staff</u> , or <u>ESA STRU</u> .

## **CN 213 – Nez Perce Child Support Agreement**

### **II. Understanding the Nez Perce Child Support Agreement**

#### **A. What is the purpose of the agreement?**

1. The agreement establishes a process for DCS to file certain paternity, establishment, enforcement and modification cases, and have these cases adjudicated by the Nez Perce Tribal Court, according to the Tribe's laws and customs.
2. The agreement also establishes a process for the reciprocal granting of full faith and credit, and enforcement of certain child support orders and judgments.

#### **B. When is a case included under the agreement?**

- A case is included under the agreement when the NCP:
  - a. Lives on the Nez Perce reservation,
  - b. Is employed by the Tribe, tribal enterprise or Indian-owned business located on the reservation, or
  - c. Is otherwise subject to the jurisdiction of the Tribal Court under the laws of the Nez Perce Tribe.

#### **C. How do I identify a Nez Perce case?**

- You may discover a Nez Perce case:
  - a. By examining initial reports,
  - b. Through the normal case review process,
  - c. From telephone calls from an NCP, CP or the Tribe, or
  - d. By reviewing new referrals.

#### **D. What actions do I take once a case is identified?**

1. Make a case comment (**CC**) indicating that the case is included under the Nez Perce Child Support Agreement.
2. Transfer the case to the Spokane field office. Spokane Tribal Unit staff will review the case to determine any necessary action.
3. You may call the Spokane field office Tribal Liaison if you have any questions.